

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:20CR327-1
	:	
ARMANDO NAVA-JUAREZ,	:	
also known as Armando Nava	:	

FACTUAL BASIS

NOW COME the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11(b)(3), Fed. R. Crim. P., states as follows:

Armando Nava-Juarez, also known as Armando Nava (“Nava”), was born on May 1, 19XX in Reynosa, Tamaulipas, Mexico and is a citizen of Mexico. Nava entered the United States without inspection in or around August 1, 1981 at or near Hidalgo, Texas. On or about June 15, 1987, Nava filed an Application for Temporary Resident Status as a Seasonal Agricultural Worker (known as Form I-700) with the United States Immigration and Naturalization Service (“INS”) pursuant to Section 210 of the Immigration and Nationality Act. On December 19, 1987, INS approved NAVA’s Form I-700 application, thereby granting him Temporary Resident Status. On December 1, 1990, Nava’s immigration status was adjusted to that of a Legal Permanent Resident as a matter of law. His alien file reference number is XXX 395 648.

On September 9, 1997, Nava filed an Application for Naturalization (known as Form N-400) with the INS. Following an interview by an INS examiner and correspondence concerning Nava's application, INS ultimately denied Nava's naturalization application, issuing a written decision dated April 12, 2001.

Otherwise, Nava has never applied for nor petitioned for United States citizenship. Nava knew he was not a United States citizen at all relevant times. Nava, in fact, is not and never has been a United States citizen.

On or about October 11, 1996, in Davidson County, North Carolina, Nava registered to vote.

On November 8, 2016, which was Election Day, in Davidson County, North Carolina, Nava voted in the November 2016 election. The November 2016 election was held for the purpose of electing a candidate for the office of President, Vice President, Member of the United States Senate, and Member of the United States House of Representatives, among other positions on the ballot.

On March 6, 2017, Nava acknowledged to officials with the North Carolina Board of Elections that he was not a United States citizen, that he had applied for but not received United States citizenship, that he had registered to vote, and that he had voted in the November 2016 election.

On or about March 7, 2017, Nava acknowledged on a form sent to the North Carolina Board of Elections that he is not a citizen of the United States.

On March 20, 2019, Nava acknowledged to Department of Homeland Security agents during a voluntary, non-custodial interview that he was a citizen and native of Mexico, that he was a legal permanent resident of the United States and not a citizen of the United States, that he registered to vote, that he voted in the November 2016 election, and that he voted while knowing he was not a United States citizen.

This the 15th day of January, 2021.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2021, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Andrew L. Farris, Attorney for Defendant

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